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Message Text

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51
ORIGIN SCS-03

INFO OCT-01 NEA-06 ISO-00 L-02 SCA-01 /013 R

DRAFTED BY SCA:SCS:JALIVORNESE:JFM
APPROVED BY SCA:SCS:JALIVORNESE
NEA/INS:RDLORTON (DRAFT)
L/NEA:KHUFFMAN (DRAFT)
---------- 017590
P 231903Z DEC 74
FM SECSTATE WASHDC
TO AMCONSUL CALCUTTA PRIORITY
INFO AMEMBASSY NEW DELHI PRIORITY

C O N F I D E N T I A L STATE 280003

E.O. 11652: GDS
TAGS: CASC, PFOR, IN
SUBJECT: HARCOS/FLETCHER

REF: CALCUTTA 2708 AND 2720
IN PASSING ON TO ATTORNEY LEONARD BOUDIN THE GIST OF REFTELS, THE DEPARTMENT WAS REQUESTED THAT DOLORES A. DONOVAN PROVIDE HIM WITH RESPONSES AND CLARIFICATION IN ANSWER TO THE FOLLOWING POINTS:

" 1) PLEASE EXPLAIN THE SESSION COURT RULING ON FRAMING CHARGES FROM WHICH YOU INTEND TO APPEAL.

2) PLEASE TRANSMIT ALL FORMAL PAPERS NOW FILED OR TO BE FILED BY PARTIES OR COURT.

3) DOES THIS MEAN THAT ON JANUARY 16, 1975 THERE WOULD BE TWO APPEALS ARGUED? (A) GOVERNMENT APPEAL FROM ORDER TO DELIVER CHARGES? AND (B) DEFENSE APPEAL ON GROUNDS OF IN-SUFFICIENCY?

4) EXPLAIN HOW YOUR PROPOSED APPEAL GIVES NEW DELHI AUTHORITY TO DISMISS, I.E., EXPLAIN HIERARCHIES OF ALL COURTS AND GOVERNMENT AGENCIES, WITH RESPECTIVE AUTHORITIES
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IN THIS PICTURE.

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"5) TO WHAT EXTENT IS YOUR ROLE BEING SATISFACTORILY RECOGNIZED?

6) ADVISE ME AS YOU GO ALONG OF RELEVANT CONSTITUTIONAL PROVISIONS, STATUTES AND JUDICIAL DECISIONS, WITH CITATIONS FOR EXAMINATION HERE.

7) STATE PSYCHOLOGICAL AND PHYSICAL CONDITIONS OF CLIENTS, PARTICULARLY FOR MRS. RUTH FLETCHER'S BENEFIT.

8) DO YOU HAVE PLANS TO GO TO NEW DELHI TO SEE GOVERNMENT OFFICIALS? I BELIEVE THIS IMPORTANT AND PARTICULARLY FOR YOU TO DETERMINE RESPECTIVE AUTHORITIES OF COURTS, PROSECUTORS, FEDERAL AND STATE GOVERNMENTS?

9) IS THERE AN EXPLANATION NOW DEVELOPING FOR CONTINUED PROSECUTION IN LIGHT OF KNOWN FACTS?

10) WHAT ARE YOUR RECOMMENDATIONS WITH RESPECT TO MY DISCUSSIONS WITH THE PRESS OR AMNESTY INTERNATIONAL?

11) I WILL ADVISE JOHNSON RE: CONFIDENTIALITY OF PAPERS.

12) PLEASE RETURN MY HOUSE KEYS." KISSINGER

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Message Attributes

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